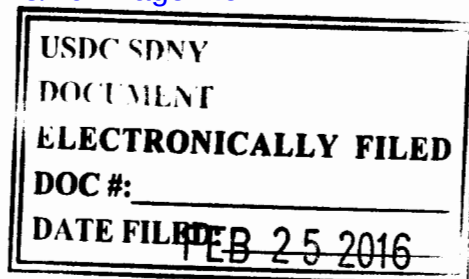


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
UMBRA LLC,

Plaintiff,

-against-

HONEY-CAN-DO INTERNATIONAL, LLC,

Defendant.
----- X

16 Civ. 00148 (KBF)

SCHEDULING ORDER

KATHERINE B. FORREST, District Judge:

The Parties propose the following schedule for this matter:

1. The parties do not consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹
2. Amended pleadings may not be filed, and no party may be joined, without leave of Court more than 20 days after the filing of this Order or the filing of a responsive pleading, whichever occurs first.
3. Fed. R. Civ. P. 26(a)(1) Initial Disclosures: February 24, 2016.
4. Close of fact discovery: August 12, 2016.
5. Close of expert discovery: ~~September 6, 2016~~ 7/30/16

The parties contemplate experts in this matter for the following subject(s): design patent and trade dress infringement; damages.

6. The parties do anticipate making dispositive motions. The contemplated dispositive motions are: invalidity, infringement, and non-infringement.

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

Proposed Briefing Schedule:

Opening: ~~August 12, 2016;~~ 8/31/16
Opp'n: ~~September 2, 2016;~~ 9/30/16
Reply: ~~September 9, 2016;~~ 10/12/16

7. Trial will be before a jury.²

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 8-11.

8. check in with sec Rn May 2, 2016.
The next status conference is set for _____ at _____

9. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due:
12/2/16

10. The Final Pretrial Conference ("FPTC") is set for 12/7/16 at
1pm.

Motions *in limine* are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)³

11. Trial in this matter shall commence on 12/12/16. Trial is anticipated to take 1 week.

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York
2/25, 2016

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KATHERINE B. FORREST
United States District Judge

² Checking this box does not constitute a formal jury demand under Fed. R. Civ. P. 38(b). It serves a purely administrative function.

³ Deadlines for motions *in limine* and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.